

Relates to:
CM/ECF No. 616, 618 (Adv. Pro. No. 19-08289)
Hearing Date: Dec. 20, 2024 at 11:00 a.m. (Prevailing Eastern Time)
Objection Deadline: Dec. 18, 2024 at 12:00 p.m. (Prevailing Eastern Time)

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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	: Chapter 11
In re:	:
	: Case No. 19-23649 (SHL)
PURDUE PHARMA, L.P., et al.,	:
	: (Jointly Administered)
Debtors.	:
	:
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	:
PURDUE PHARMA, L.P., et al.,	:
	:
Plaintiffs,	: Adv. Pro. No. 19-08289 (SHL)
	:
v.	:
	:
COMMONWEALTH OF MASSACHUSETTS, et al.,	:
	:
Defendants.	:
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**STATEMENT REGARDING DEBTORS' MOTION TO EXTEND THE
PRELIMINARY INJUNCTION**

The State of New York submits this statement regarding the Debtors' motion to extend ("Motion to Extend") the preliminary injunction and accompanying memorandum of law (ECF No. 618, or, Mem.).

The State of New York is authorized to convey support for this statement from the following additional States, all members of the AG Negotiating Committee in the mediation: California, Connecticut, Delaware, Illinois, Massachusetts, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Vermont, Virginia, and West Virginia.

The Debtors' most recent motion papers, like recent opening motion papers, are placeholders that expressly contemplate that interested parties will make their views known as late as the hearing on December 20. Mem. at 2 ("The Debtors thus hope and expect that this requested extension will have support from key stakeholders by the time of the hearing . . ."). *See also* 11 U.S.C. § 1109(b). As before, the AG Negotiating Committee intends to act in a manner that is consistent with that expectation. We have not yet determined our position but believe we will have more clarity as of the time of the hearing and intend to state any views at that time.

Lastly, the Proposed Order, like recent injunctive orders, is without prejudice to any State's arguments that a continued injunction is unwarranted. This filing repeats this point because the Debtors' papers repeatedly invoke concepts of "law of the case." *See* Mem. at 4. But the Proposed Order, like prior injunctive orders, states the following in language that was carefully negotiated with the Debtors: "Nothing in this Order shall be taken to prejudice the position of any party that no extension of the injunction of litigation against Related Parties (including the Sackler Families) is warranted." ECF No. 616-2, at 16. When New York raised parallel language of a prior order at the September 5, 2024 hearing, the Court stated: "I am not

interested in trying to prejudice anybody's rights where they've reached an agreement." Tr., Sept. 5, 2024 Hr'g, at 47:14-48:10. Given the express terms of recent orders, and the fact that nearly all States in the interest of reaching resolution have agreed not to contest them, the States cannot be prejudiced with respect to future arguments that no continued injunctive relief is warranted.

Respectfully submitted,

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